IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 67003-M of 2006

DATE OF DECISION : 31.10.2006

Satvinder Singh

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Bipan Ghai, Advocate,
for the petitioner.

* * *

Petitioner Satvinder Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 315 dated 26.8.2006 registered at Police Station Shahabad, District Kurukshetra, under Section 15/61/85 of the NDPS Act.

I have heard counsel for the petitioner and gone through the contents of the FIR.

Keeping in view the fact that 71 Kgs. of poppy husk (commercial quantity) was recovered at the spot from joint possession of all the accused, including the petitioner. They were arrested at the spot. Thus, in view of these facts and the provision of Section 37 of the NDPS Act, I am not inclined to grant the concession of regular bail to the petitioner. The contention of the petitioner that he can be said to have been found in possession of only 10 Kgs. of poppy husk, because as per the case of prosecution, he was holding a packet, containing 10 Kgs. of poppy husk, cannot be accepted at this stage.

Dismissed.

October 31, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**